

## **DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole
inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subjec
matter which is claimed and for which a patent is sought on the invention entitled: Method, Systems and Software for Identifying
Functional Bio-Molecules the specification of which is attached hereto or _X was filed on July 29, 2003 as Application No
10/629,351, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
10/379,378	March 3, 2003	Pending

Full Name of	Full Name:		
Inventor 1:	Claes Gustafsson		
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Inventor 3:	Robin A. Emig		
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Full Name of Inventor 4:	Full Name: Richard John Fox		
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Inventor 6:	Jeremy S. Minshull City:	State/Foreign Country:	Country of Citizenship:
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Inventor 9:	Phillip A. Patten		
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Full Name of	Full Name:		<del></del>
Inventor 10:	Linda A. Castle		
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Inventor 11:	Daniel L. Siehl	N.	
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Menlo Park	California	United States of America
Post Office	Post Office Address:		The state of the s
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Full Name of	Full Name:		
nventor 12:	Rebecca Lynne Gorton	Canada Canada	
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Full Name of	Full Name:		
Inventor 13:	Teddy Chen		
Residence &	City:	State/Foreign Country:	Country of Citizenship:
Citizenship:	Belmont	California	United States of America
Full Name of	Full Name:	<u> </u>	
Inventor 13:	2820 Belmont Canyon	Road, Belmont, California 94002	

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Claes Gustaisson	Sridhar Govindarajan	Robin A. Emig
Date 03-03-204	Date	Date
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Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date .	Date	Date
Date :	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	_
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	Date	

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Full Name of	Full Name:	10		
Inventor 13:	Teddy Chen	To the		
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Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
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Date	Date 3 3 2004	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date	Date	Date
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S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
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	Teddy Chen	
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Date	Date	Date 1/16/04
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Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
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Richard John Fox	Ajoy K. Roy	Jeremy S. Minshull
Date 1/2:101	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
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8. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date 23th Deponter 2003	Date	Date 1-14-03 148
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Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
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Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date 1-12-04	Date 9 NAN 2004	Date
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•	Date 1-21-2004	J

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Date	Date 1.22.04	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
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Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
	Signature of Inventor 13	
	Teddy Chen	
	Date	

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Full Name of	Full Name:	<b>&amp;</b>	
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Residence &	City:	State/Foreign Country:	Country of Citizenship:
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Date	Date	Date
Signature of Inventor 4	Signature of Inventor 5	Signature of Inventor 6
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Date	Date	Date 24 Fels 04
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Linda A. Castle	Daniel L. Siehl	Rebecca Lynne Gorton
Date	Date	Date
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	Teddy Chen	<del></del>
	Date	
	Date	

Full Name of Inventor 13:	Full Name: Teddy Chen	<b>y</b>			
Residence & Citizenship:	City: Belmont	State/Foreign Country: California	Country of Citizenship: United States of America		
Full Name of Inventor 13:					

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
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Date	Date	Date
Signature of Inventor 7	Signature of Inventor 8	Signature of Inventor 9
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Date	Date 3/22/04	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
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Date	Date	Date
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Date	Date	Date
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S. Christopher Davis	Anthony R. Cox	Phillip A. Patten
Date	Date	Date
Signature of Inventor 10	Signature of Inventor 11	Signature of Inventor 12
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Date	Date	Date 1-3-04
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I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. MXGNP004X1/0311.310US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Claes Gustafsson, et al.

Application No: 10/629,351

Filed: July 29, 2003

For: Methods, Systems and Software for

**Identifying Functional Biomolecules** 

Examiner: Not yet assigned

Art Unit: Not yet assigned

APPOINTMENT OF ASSOCIATE

**ATTORNEY** 

Commissioner for Patents

P.O. Box 1450

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Sir:

I hereby appoint Jeffrey K. Weaver, Reg. No. 31,314, James E. Austin, Reg. No. 39,489, Damon K. Kali, Reg. No. 50,541, and Roger S. Sampson, Reg. No. 44,314 to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

April 7, 2004

MAXYGEN, INC.

Intellectual Property Department

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Redwood City, California 94063

(650) 298-5300 (telephone) - (650) 298-5446 (facsimile)

Customer No: 30560

Attorney for Applicants

Reg. No. 38,459



## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

Application Number	10/629,351
Filing Date	July 29, 2003
First Named Inventor	Claes Gustafsson
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	0311.310US

I hereby appoint:					
Practitioners at Customer Number 30560					
Type Customer Number Here					
OR					
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Norman J.	Kruse		35,235		
Sharon M.	Fujita		38,459		<del></del>
Margaret A	\. Powers		39,804		
Joanne R.	Petithory .		42,995		
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.  Please change the correspondence address for the above-identified application to:  The above-mentioned Customer Number.  OR					business in the
Firm or Individual Name				·	
Address			<del></del>		
Address		· · · · · · · · · · · · · · · · · · ·			
City	-	S	tate	Zip	
Country					
Telephone		Fa	ax		
I am the  Applicant.  Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed)  SIGNATURE of Applicant or Assignee of Record					
Name Michael	S. Rapson / Gene	eral Counsel & Senio	or Vice Presid	ent	
Signature In the Signature					
Date 3/10/64					
***************************************	C	ERTIFICATE OF MA	ILING		
I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:  Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail-Stop: Missing Parts on this date:					
Typed or printed name		Dia	ne D. Dunn		
Signature	Ware a	lu-	Date	April 7	2004



/3	(A)	PADEMAR	8				Approved for	use through 09/30/0	PTO/SB/96 (2-98) 2000. OMB 0651-0031
		THAUS	9	TATEME	NT UND	DER 37 CF	R §3.73(L	<u>o)</u>	
	Арр	licant:	Claes (	Gustafssor	n et al.				
	Арр	lication No	o.: 10/	629,351			Filed:	July 29, 20	03
	Enti	tled: Me	thods, S	Systems ar	nd Softwai	re for Identif	ying Func	tional Bio-M	olecules
_	Max	ygen, Inc	of Assignee)		, a	of Assignee, e.g., cor	corpora		amont cooper, etc.)
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2.	L	∟ an as	ssignee o	f an undivi	ded part in	terest			•
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[X]	Cop	pies of ass	signments	s or other d	ocuments	in the chain o	of title are a	attached.	
		ignee.	(whose to	itle is supp	lied below)	is empowere	ed to sign the		on behalf of
							hael S. Ra	ıbson	_
						• •	d or printed		
						General	Title	Senior VP	_



## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Claes Gustafsson, 1813 Bayview Avenue, Belmont, California 94002; Sridhar Govindarajan, 530 Osprey Drive, Redwood City, California 94065; Robin A. Emig, 1405 Marshall Street, Apt. 715, Redwood City, California 94063; Richard John Fox, 163 Oakfield Avenue, Redwood City, California 94061; Ajoy K. Roy, 1321 Marshall Street, Apt. 120, Redwood City, California 94063; Jeremy S. Minshull, 679 Los Ninos Way, Los Altos, California 94022; S. Christopher Davis, 104 Winfield Street, San Francisco, California 94110; Anthony R. Cox, 1730 Plaza Court, Mountain View, California 94040; Phillip A. Patten, 261 La Cuesta Drive, Menlo Park, California 94028; Linda A. Castle, 784 Hans Avenue, Mountain View, California 94040; Daniel L. Siehl, 310 Durham Street, Menlo Park, California 94025; Rebecca Lynne Gorton, 788 Harrison Street, Apt. 819, San Francisco, California 94107; and Teddy Chen, 2820 Belmont Canyon Road, Belmont, California 94002, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD, SYSTEMS AND SOFTWARE FOR IDENTIFYING FUNCTIONAL BIO-MOLECULES

Filing Date: March 3, 2003

Application No.: 10/379,378 ; ar

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive, Redwood City, California 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Page 2 of 4 IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated. Dated: 06-02-03 Gustafsson SIGNATURE WITNESSED BY: (1) Date: 06-02-03 Signature of Witness 1 Dated: Sridhar Govindarajan SIGNATURE WITNESSED BY: (1) Date: Signature of Witness 1 SIGNATURE WITNESSED BY: (1) Date: 6/10/0-3 Signature of Witness 1 Dated: 615/63 Richard John Fox

Signature of Witness 1

Assignment

Application No: 10/379,378

SIGNATURE WITNESSED BY:

(1) Date:\_

Assignment Application No: 10/379,378 Page 2 of 4

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

• •	
Dated:	
*	Claes Gustafsson
SIGNATURE WITNESSED BY:	
•	
(1) Date:	Signature of Witness 1
Dated: 6 10 03	Sridhar Govindarajan
SIGNATURE WITNESSED BY:  (1) Date:	252
(I) Date.	Signature of Witness 1
Donal	
Dated:	Robin A. Emig
SIGNATURE WITNESSED BY:	
(1) Date:	Signature of Witness 1
Dated:	Richard John Fox
SIGNATURE WITNESSED BY:	· · · ·
(1) Date:	
	Signature of Witness 1

Page 3 of 4 Dated: \_ SIGNATURE WITNESSED BY: Signature of Witness 1 Dated: \_ Jeremy S. Minshull SIGNATURE WITNESSED BY: (1) Date: Signature of Witness 1 SIGNATURE WITNESSED BY: (1) Date: 6 Signature of Witness 1 Dated: Anthony R. Cox SIGNATURE WITNESSED BY: (1) Date: Signature of Witness 1 Dated: 6-9.0 Phillip A. Patten

Signature of Witness 1

Assignment

Application No: 10/379,378

SIGNATURE WITNESSED BY:

(1) Date:\_

Dated:	
	Ajoy K. Roy
SIGNATURE WITNESSED BY:	
(1) Date:	
	Signature of Witness 1
Dated: 30 July 200]	I thunder
	Jeremy S. Minshull
SIGNATURE WITNESSED BY:  (1) Date: 7 30 63	& Sadle
(1) Date:	Signature of Witness 1
<b>1</b>	
Dated:	
	S. Christopher Davis
SIGNATURE WITNESSED BY:	
(1) Date:	*
( )	Signature of Witness 1
Dated:	
	Anthony R. Cox
SIGNATURE WITNESSED BY:	
(1) Date:	
, ,	Signature of Witness 1
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Dated:	Phillip A. Patten
OLON ATTIME WITCHES DV	•
SIGNATURE WITNESSED BY:	•
(1) Date:	
	Signature of Witness 1

Assignment Application No: 10/379,378 Page 3 of 4

Ajoy K. Roy SIGNATURE WITNESSED BY: (1) Date:\_\_\_\_ Signature of Witness 1 Jeremy S. Minshull SIGNATURE WITNESSED BY: (1) Date:\_\_ Signature of Witness 1 S. Christopher Davis SIGNATURE WITNESSED BY: (1) Date:\_ Signature of Witness 1 Dated: 16/6/03 Anthony R. Cox SIGNATURE WITNESSED BY: CLAES GUSTAFASOL (1) Date: June 10, 7003 Wriness 1 Dated: \_ Phillip A. Patten SIGNATURE WITNESSED BY: (1) Date:\_\_\_ Signature of Witness 1

Assignment

Page 3 of 4

Application No: 10/379,378

Assignment Application No: 10/379,378 Page 4 of 4	
Dated: 6/5/03	Linda A. Castle
SIGNATURE WITNESSED BY:	$\cap$
(1) Date: 6/5/03	Signature of Witness 1
·¥	
Dated: 23 Jun 03	Daniel L. Siehl
SIGNATURE WITNESSED BY:	
(1) Date: $\frac{(2)}{23}$	Signature of Witness 1
Dated: 6 - 20 - 63	Rebecca Lynne Gorton
SIGNATURE WITNESSED BY:	$\Omega$ $\Omega$
(1) Date: $6/20/03$	Signature of Witness 1
*	
Dated: 6-20-03	Teddy Chen
SIGNATURE WITNESSED BY:	-
(1) Date: $(a/2c/03)$	Wine De

Signature of Witness 1